

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

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WALTER A.Y.H. CHINN, CLERK

Attorneys for Plaintiff
UNITED STATES OF AMERICA

SEALED

IN THE UNITED STATES DISTRICT COURT BY ORDER OF THE COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. CR 03-00495	DAE
)		
Plaintiff,)	INDICTMENT	
vs.)	[21 U.S.C. §§ 841(a)(1),	
)	(b)(1)(A), 843(b) and 846,	
WILLIAM TOTTEN,	(01))	18 U.S.C. §§ 2,	
ROMAN CALDERON,	(02))	1956(a)(1)(A)(i), 1956(h)]	
JASON MAXWELL,	(03))		
WILLIAM DUNN,	(04))		
CRAIG CURTIS,	(05))		
ALBERT POWELL, III,	(06))		
COREY MANLEY,	(07))		
VINCENT FURTADO,)		
a.k.a. "Ikaika",	(08))		
PHILLIP NASH,	(09))		
BENJAMIN KAINA, and	(10))		
CHERI ANN KAINA	(11))		
Defendants.)		

INDICTMENT

COUNT 1:

The Grand Jury charges that:

From on or about May 1, 2003, to and including September 30, 2003, in the District of Hawaii, and elsewhere,

**WILLIAM TOTTEN, ROMAN CALDERON,
JASON MAXWELL, WILLIAM DUNN,
CRAIG CURTIS, ALBERT POWELL III,
COREY MANLEY, VINCENT FURTADO, a.k.a. "Ikaika",
PHILLIP NASH, BENJAMIN KAINA,
and CHERI ANN KAINA**

defendants herein, did willfully and unlawfully conspire together with each other and others known and unknown to the grand jury, to knowingly and intentionally possess with intent to distribute, fifty (50) grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

It was the object of the aforesaid conspiracy to possess methamphetamine for distribution in Hawaii.

WAYS AND MEANS OF ACCOMPLISHING THE CONSPIRACY

1. WILLIAM TOTTEN, purchased methamphetamine from ROMAN CALDERON in Arizona, for distribution in Hawaii.
2. WILLIAM TOTTEN paid ROMAN CALDERON for the methamphetamine by the use of couriers, JASON MAXWELL, WILLIAM DUNN, CRAIG CURTIS, and ALBERT POWELL III.
3. COREY MANLEY, VINCENT FURTADO, PHILLIP NASH, BENJAMIN KAINA, and CHERI ANN KAINA distributed the methamphetamine on the Island of Oahu for WILLIAM TOTTEN.

4. The co-conspirators used cellular telephones to plan, coordinate and execute their agreement to distribute methamphetamine.

OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, the defendants performed overt acts in the District of Hawaii and elsewhere which include, but are not limited to, the following:

1. On or about May 14, 2003, JACOB LYMAN telephoned a friend and advised him that a quantity of methamphetamine was being brought into Hawaii by his friend, referring to WILLIAM TOTTEN.

2. On or about August 22, 2003, WILLIAM DUNN arrived in Honolulu, Hawaii on a flight from Arizona.

3. On or about August 22, 2003, WILLIAM TOTTEN, and Jacob Lyman discuss on the telephone the sale of a quantity of methamphetamine to PHILLIP NASH.

4. On or about August 25, 2003, WILLIAM TOTTEN discussed with Jacob Lyman an amount of money that could be given to WILLIAM DUNN before leaving on his flight back to Arizona.

5. On or about August 25, 2003, WILLIAM TOTTEN dropped WILLIAM DUNN off at the airport and WILLIAM DUNN left Hawaii on a flight back to Arizona.

6. On or about August 29, 2003, VINCENT "Ikaika" FURTADO and WILLIAM TOTTEN discuss on the telephone a purchase of a quantity of methamphetamine.

7. On or about September 1, 2003, ROMAN CALDERON and WILLIAM TOTTEN discuss on the telephone the arrangements to have TOTTEN send up approximately \$25,000.

8. On or about September 1, 2003, JASON MAXWELL traveled to Phoenix, Arizona and returned on or about September 3, 2003.

9. On or about September 3, 2003, ROMAN CALDERON and WILLIAM TOTTEN discuss on the telephone that ROMAN CALDERON was coming to Hawaii with his friends to collect money from WILLIAM TOTTEN.

10. On or about September 4, 2003, ROMAN CALDERON and CRAIG CURTIS arrive in Honolulu, Hawaii from Arizona.

11. On or about September 9, CRAIG CURTIS leaves Hawaii on a flight to Phoenix, Arizona.

12. On or about September 10, 2003, approximately \$21,280 was seized at the airport in Phoenix, Arizona from CRAIG CURTIS.

13. On or about September 11, 2003, WILLIAM TOTTEN discusses on the telephone a purchase of a quantity of methamphetamine by BENJAMIN KAINA and CHERI ANN KAINA.

14. On or about September 12, 2003, ROMAN CALDERON and Ray Armenta return from Hawaii to Phoenix, Arizona.

15. On or about September 20, 2003, COREY MANLEY and WILLIAM TOTTEN discuss on the telephone a purchase of a quantity of methamphetamine.

16. On or about September 22, 2003, approximately \$12,000 was seized at the airport in Honolulu, Hawaii from ALBERT POWELL III.

All in violation of Title 21, United States Code, Section 846.

COUNT 2:

The Grand Jury further charges that:

From on or about May 1, 2003, to and including September 30, 2003, in the District of Hawaii, and elsewhere,

**WILLIAM TOTTEN, ROMAN CALDERON,
JASON MAXWELL, WILLIAM DUNN,
CRAIG CURTIS, ALBERT POWELL III,
COREY MANLEY, VINCENT FURTADO, a.k.a. "Ikaika",
PHILLIP NASH, BENJAMIN KAINA,
and CHERI ANN KAINA**

did knowingly and intentionally possess with intent to distribute, 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and Title 18 United States Code, Section 2.

COUNT 3:

The Grand Jury further charges that:

On or about August 22, 2003, within the District of Hawaii, **PHILLIP NASH**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 4:

The Grand Jury further charges that:

On or about August 25, 2003, within the District of Hawaii, **VINCENT FURTADO, a.k.a. "Ikaika"**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 5:

The Grand Jury further charges that:

On or about September 1, 2003, within the District of Hawaii, **WILLIAM TOTTE****N**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 6:

The Grand Jury further charges that:

On or about September 1, 2003, within the District of Hawaii, and elsewhere, **ROMAN CALDERON**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 7:

The Grand Jury further charges that:

On or about September 20, 2003, within the District of Hawaii, **COREY MANLEY**, used and caused to be used a communications

facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 8:

The Grand Jury further charges that:

On or about September 11, 2003, within the District of Hawaii, **BENJAMIN KAINA**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 9:

The Grand Jury further charges that:

From on or about May 1, 2003, to and including September 30, 2003, in the District of Hawaii, and elsewhere,

**WILLIAM TOTTEN, ROMAN CALDERON,
JASON MAXWELL, WILLIAM DUNN,
CRAIG CURTIS, ALBERT POWELL III,**

defendants herein, did willfully and unlawfully conspire with each other and others known and unknown to the grand jury, to knowingly and intentionally conduct financial transactions affecting interstate commerce, such transactions involving the proceeds of a specified unlawful activity, that is the distribution of methamphetamine, with the intent to promote the carrying on of specified unlawful activity, and that while conducting such financial transaction knew that the property involved in the financial transaction, represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i).

It was the object of the aforesaid conspiracy to launder monetary instruments.

OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, the defendants performed overt acts in the District of Hawaii and elsewhere which include, but are not limited to, the following:

1. On or about May 14, 2003, JACOB LYMAN telephoned a friend and advised him that a quantity of methamphetamine was being brought into Hawaii by his friend, referring to WILLIAM TOTTEN.

2. On or about August 22, 2003, WILLIAM DUNN arrived in Honolulu, Hawaii on a flight from Arizona.

3. On or about August 25, 2003, WILLIAM TOTTEN discussed with Jacob Lyman an amount of money that could be given WILLIAM DUNN before leaving on his flight back to Arizona.

4. On or about August 25, 2003, WILLIAM TOTTEN dropped WILLIAM DUNN off at the airport and WILLIAM DUNN left Hawaii on a flight back to Arizona.

5. On or about September 1, 2003, ROMAN CALDERON and WILLIAM TOTTEN discuss on the telephone the arrangements to have TOTTEN send up approximately \$25,000.

6. On or about September 1, 2003, JASON MAXWELL traveled to Phoenix, Arizona and returned on or about September 3, 2003.

7. On or about September 3, 2003, ROMAN CALDERON and WILLIAM TOTTEN discuss on the telephone that ROMAN CALDERON was coming to Hawaii with his friends to collect money from WILLIAM TOTTEN.

8. On or about September 4, 2003, ROMAN CALDERON and CRAIG CURTIS arrive in Honolulu, Hawaii from Arizona.

9. On or about September 9, CRAIG CURTIS leaves Hawaii on a flight to Phoenix, Arizona.

10. On or about September 10, 2003, approximately \$21,280 was seized at the airport in Phoenix, Arizona from CRAIG CURTIS.

11. On or about September 12, 2003, ROMAN CALDERON returned from Hawaii to Phoenix, Arizona.

12. On or about September 22, 2003, approximately \$12,000 was seized at the airport in Honolulu, Hawaii from ALBERT POWELL III.


All in violation of Title 18, United States Code, Section 1956(h).


DATED: October 8, 2003 at Honolulu, Hawaii.

A TRUE BILL


FOREPERSON, GRAND JURY

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii


FLORENCE T. NAKAKUNI
Chief, Narcotics Section


CHRIS A. THOMAS
Assistant U.S. Attorney

U.S. v. William Totten, et al.
"Indictment"
Cr. No.